

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TRACEY HEARD	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION
	:	NO. 14-7120
JOHN KERESTES; THE DISTRICT	:	
ATTORNEY OF COUNTY,	:	
PHILADELPHIA; THE ATTORNEY	:	
GENERAL OF STATE OF,	:	
PENNSYLVANIA	:	
Defendants.	:	

**ORDER**

AND NOW, this 30<sup>th</sup> day of March, 2016, upon consideration of the pleadings and record herein, and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter (Doc. No. 15), it is hereby ORDERED as follows:

1. The Report and Recommendation is APPROVED and ADOPTED;<sup>1</sup>
2. Petitioner's Petition for a Writ of Habeas Corpus (Doc. No. 1) is DENIED;
3. Petitioner's "Motion for a Jury Demand" (Doc. No. 4) is DENIED;
4. Petitioner's two Motions for Appointment of Counsel (Doc. Nos. 2, 3) are DENIED; and
5. There is no probable cause to issue a Certificate of Appealability.

BY THE COURT:

/s/ C. Darnell Jones, II J.

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<sup>1</sup> Judge Rueter filed his Report and Recommendation on November 30, 2015. At that time, Petitioner was notified that he had fourteen (14) days to object to same. On December 14, 2015, the court received a motion by Petitioner for an extension of time to file Objections, which he apparently prepared on December 6, 2015 (Doc. No. 16). Said motion was granted on December 17, 2015, at which time Petitioner was given ***an additional ninety (90) days*** to file Objections. (Doc. No. 17). Therefore, the modified deadline became Wednesday, March 16, 2016. As of this day—another two weeks beyond the revised deadline—Petitioner has failed to submit any Objections. Accordingly, his right to do so has now been waived.